



# Security Council

Sixty-seventh year

*Provisional*

## 6872<sup>nd</sup> meeting

Tuesday, 27 November 2012, 3 p.m.

New York

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*President:* Mr. Hardeep Singh Puri. . . . . (India)

*Members:*

Azerbaijan . . . . .	Mr. Musayev
China . . . . .	Mr. Li Baodong
Colombia . . . . .	Mr. Alzate
France . . . . .	Mr. Araud
Germany . . . . .	Mr. Berger
Guatemala . . . . .	Mr. Rosenthal
Morocco . . . . .	Mr. Bouchaara
Pakistan . . . . .	Mr. Tarar
Portugal . . . . .	Mr. Moraes Cabral
Russian Federation . . . . .	Mr. Churkin
South Africa . . . . .	Mr. Laher
Togo . . . . .	Mr. M'Beou
United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Tatham
United States of America . . . . .	Mrs. DiCarlo

## Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/818)

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12-60778 (E)



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*The meeting was called to order at 3.05 p.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

#### **Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/818)**

**The President:** Under rule 37 of the Council's provisional rules of procedure, I invite the representative of Serbia to participate in this meeting. On behalf of the Council, I welcome His Excellency Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Farid Zarif, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to participate in this meeting. Mr. Zarif is joining today's meeting via video teleconference from Pristina.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Enver Hoxhaj to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2012/818, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

I give the floor to Mr. Zarif.

**Mr. Zarif:** The report before the Council (S/2012/818) details key events and activities in Kosovo during the period 16 July to 15 October 2012. While the period in question was mainly calm, very significant developments have taken place since the end of the reporting cycle, and it is on them that I shall focus today.

On 21 August, the last time the Security Council met to discuss Kosovo (S/PV.6822), I spoke of the urgent need for a renewed political process, not only to safeguard the substantial international investments in Kosovo, but also to encourage the parties to move more swiftly in order to resolve issues hampering progress on both sides. The fact that Belgrade and Pristina

were represented at the leadership level in that session already signaled the potential for elevated engagement.

Subsequently, as new sessions of the dialogue mediated by the European Union (EU) got under way soon after the end of the reporting period, a far more fundamental milestone was reached on 19 October. That day, thanks in great measure to the personal leadership of EU High Representative Catherine Ashton, a new and more fundamental phase of the dialogue process was initiated in Brussels. Prime Ministers Dačić and Thaçi assumed direct leadership within this process, and met for the first time as leaders of their respective delegations.

This fast meeting was swiftly followed by a second meeting on 7 November. During their second meeting, the two leaders demonstrated their seriousness, and were able to agree on concrete steps to move forward in the dialogue in a more profound and far-reaching manner. At the end of October, High Representative Ashton and United States Secretary of State Hillary Clinton paid joint visits to Pristina and Belgrade, crucially demonstrating firm commitment and support to the dialogue process at a high level.

I am personally gratified by these developments, and wish to congratulate both sides — in particular these two leaders — on demonstrating the political will and courage to embark on the difficult yet indispensable process of working together to recast relations between Belgrade and Pristina. In so doing, they each showed that they are looking to the future rather than to the past.

Given the complexity of the issues that have continued to inhibit progress on both sides, it would be unreasonable to expect solutions to emerge easily or quickly. Nonetheless, this initiative to tackle the issues more forthrightly in a higher-level dialogue is a development which I hope all members of this Council will not simply commend, but also provide concrete support to. The international community should be well prepared to provide appropriate resources and political backing to encourage and endorse sustainable agreements achieved through a genuine dialogue between the two parties.

As with any process striving to overcome the legacies of past conflict, leaders on each side will inevitably be confronted with obstacles on many fronts. Each side must be able and empowered to overcome challenges and resistance, including from those among

their respective constituencies who, for one or another reason, do not see political progress serving their own interests. Some may seek to influence the situation on the ground outside the context of peaceful negotiation. Others may seek to undermine the political position of those negotiating.

Indeed, in the few weeks since these higher-level talks were launched, we have witnessed instances of increased tension in sensitive areas on the ground in Kosovo. Also, in just the past week and the past two days, public reactions to decisions of courts involving high-profile war crimes defendants have shown the fragility and reactivity of public sentiments on matters of reconciliation and justice. In order not to allow such developments to generate yet further obstacles, a united approach among the international presences engaged on the ground also remains essential.

I am pleased to be able to report in this respect that today there is great unity of purpose and commitment among the mandated international presences on the ground. The United Nations Interim Administration Mission in Kosovo (UNMIK) is fulfilling its mandate as part of a genuine team that encompasses the Kosovo Force, the European Union Rule of Law Mission in Kosovo (EULEX), the Organization for Security and Cooperation in Europe (OSCE), and the European Union Special Representative for Kosovo, who is leading the important political engagements within Kosovo. Most recently, close coordination of efforts on the ground has already helped to inhibit recent flare-ups from acquiring less manageable proportions.

Many issues are yet to be addressed through dialogue, and both sides face daunting challenges outside of the process, including difficult economic circumstances, challenges to the further development of rule of law institutions, and complicated internal political environments. The situation in the north of Kosovo remains fragile. The mission continues to put priority on working with our partners to maintain stability, and to try to slowly increase confidence among populations living north and south of the Ibar River. It is vital that all who are able to influence the atmosphere continue to work together towards these ends and to promote an atmosphere conducive to progress during the political dialogue.

During the reporting period, I once again appealed to Kosovo Serbs in the north and to the Pristina leaders to encourage them to open further lines of communication. In talks with leaders in Belgrade and

Pristina, I also stressed the importance of providing these communities with full information in order to reassure them that their legitimate interests were taken fully into account during the efforts to achieve political progress.

As detailed in the report, during the recent period EULEX continued to implement the reconfiguration of its structure, and provided new targeted expertise to the police and judicial institutions in Kosovo. A recent report of the European Court of Auditors, alongside recent reports of the Kosovo Ombudsperson and the OSCE, provided a sobering reminder of the current essential challenges in this area. UNMIK has continued to monitor the situation affecting minority communities in Kosovo and, wherever possible, is providing good offices for the resolution of disputes and reduction of tensions on the ground.

I continue to be concerned about recurring incidents of vandalism, theft and occasional violence against minority returnee communities and their property. At the same time, I am heartened by the renewed efforts of the Kosovo police and other public institutions to engage the communities affected and to tackle these problems. Increased participation in municipal community safety councils and local public safety committees during the reporting period was an encouraging sign of these efforts.

Among the many issues that continue to demand sustained and coordinated effort on the ground, it is worth mentioning in particular that, during this period, the Mission dedicated facilitation efforts to progress on the issue of missing persons. UNMIK and the Committee on Missing Persons in Cyprus facilitated a joint visit to Cyprus by representatives of the Kosovo Albanian and Kosovo Serbian families of missing persons and further pressed all parties, local and international, to step up their work to help promote earlier resolution of this issue.

Albeit in its early phase, the elevation to a higher political level of the EU-mediated dialogue marks a new and vital step in the political process. Each side should be commended for assuming the leadership and political risks entailed in taking it. They should be able to depend upon political support, including from the members of the Council, to underpin the process and the agreements that may be reached during its future course.

I would like to sincerely thank the members of the Security Council for their continued support of the work of UNMIK, and for their continued commitment to and interest in promoting peace and security in Kosovo. I ask for the Council's active support for the new phase of EU-mediated dialogue. I also ask for its active encouragement to both Belgrade and Pristina to fully seize the opportunity that has now been presented, including through taking additional confidence-building measures within their own remits. Doing so holds promise for real hope, not only to begin to overcome long-standing problems but also to achieve fundamental progress towards meeting the aspirations of the people for a more secure and more prosperous future.

**The President:** I thank Mr. Zarif for his briefing.

I now give the floor to Mr. Mrkić, Minister for Foreign Affairs of Serbia.

**Mr. Mrkić (Serbia):** First of all, let me thank you, Mr. President, for convening this meeting of the Security Council under resolution 1244 (1999). I also take this opportunity to express my appreciation to Special Representative of the Secretary-General Farid Zarif for his engagement and for the positions expressed in his statement.

I have carefully read the Secretary-General's report on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) for the period 16 July to 15 October (S/2012/818), which is, for the most part, factographic. We had expected it to contain some substantial assessments concerning the development of the situation in the region, primarily bearing in mind the Secretary-General's visit to the region in July.

The Republic of Serbia is committed to contributing to building peace, security and stability in the region, as well as to developing a platform for a common European future. During the reporting period, we once again confirmed our readiness to contribute to overcoming outstanding issues and problems. Our continuing efforts are aimed at a peaceful resolution of the problems in the region, including the issue of Kosovo and Metohija, as mandated by resolution 1244 (1999).

We continue to oppose unilateral actions by any party. In that respect, I wish also to underline once again the unacceptability of the unilaterally declared independence of Kosovo and Metohija. Let me say

it once again: we shall not recognize the so-called Republic of Kosovo thus proclaimed.

I would like to express my country's sincere gratitude to the majority Member States that continue to respect Serbia's sovereignty and territorial integrity. We urge them to maintain their principled stance, as that is the most important contribution they can make to the ultimate success of the dialogue.

Adhering to the principles of international law, as well as the purposes and principles enshrined in the Charter of the United Nations, we support the continuous building and promotion of mutual confidence, while respecting the legitimate interests of both Albanians and Serbs living in Kosovo and Metohija.

The Serbian side continues to promote and pursue the policy of finding peaceful solutions in a constructive dialogue with Pristina. The Republic of Serbia sees the dialogue as the only way of overcoming the current crisis and arriving at sustainable solutions for the problems facing the population in Kosovo and Metohija on a daily basis. The new Government of the Republic of Serbia recently entered into the follow-up to the dialogue with the wish of making concrete progress between Belgrade and Pristina. During the last meeting between Mr. Dačić, the Prime Minister of Serbia, and Mr. Thaçi, held in Brussels on 7 November, a wide range of issues was discussed. We insisted that the executive control powers at the crossing points in northern Kosovo be vested in the European Union Rule of Law Mission in Kosovo (EULEX). We also recalled that an agreement had been reached to start implementing integrated control by 10 December, within the framework of pilot projects at the administrative crossing points. Also, agreement was reached that the Kosovo Police Service should set up a special unit for the protection of Serbian cultural heritage that will be made up predominantly of Kosovo Serbs. We are determined to fully implement the arrangements reached thus far and are open to discussions on all issues, except the dismantling of Serbia's institutions in Kosovo and Metohija.

Serbia wishes to move forward towards its European future and is fully committed to the process, which should result in lasting peace between Serbs and Albanians.

We believe that UNMIK should have an important role to complement the dialogue, so that an effective exchange of information and reporting to the Security Council can be ensured. The Security Council

remains indispensable in securing the legitimacy of a comprehensive settlement.

The role of the United Nations in the stabilization of the situation in the region is irreplaceable. The mandate of UNMIK must therefore remain unchanged, and it should continue to enjoy our full support. We would like to see more efficient cooperation among UNMIK, the Kosovo Force and EULEX. Both UNMIK and EULEX should be active on the ground and act in accordance with their mandates, in a status-neutral way, under the auspices of the United Nations.

I would like to stress that the role of EULEX, especially at this moment, must not be changed. Its executive role remains crucial, especially as far as the implementation of agreements reached in the dialogue is concerned. The Republic of Serbia will insist on the implementation of agreed solutions on integrated border management through the presence and executive role of EULEX at the administrative boundary line.

It is important that UNMIK continue to perform its mandate related to the external representation of Kosovo, unless otherwise agreed within the framework of some regional gatherings and initiatives. In addition, the United Nations should ensure that the missions in Kosovo and Metohija operate solely in a status-neutral framework, as envisaged in resolution 1244 (1999). The United Nations should further continue its key role as coordinator of all international organizations that act under its auspices.

Of special significance for the Republic of Serbia is the continued financing of the United Nations Administration in Mitrovica. It is unacceptable to us to additionally limit the responsibilities of the Administration as a result of the lack of financing and the takeover of UNMIK's responsibilities by the creation and functioning of a parallel body based in Pristina. We would like to point out that UNMIK is the only legitimate international presence in which people in north Kosovo still have full confidence.

Despite the long-standing international presence, there is no significant improvement on the ground. The lives and property of Serbs and other non-Albanians continue to be threatened; there are no basic security conditions or freedom of movement and employment; safe return to their homes in Kosovo and Metohija has not been ensured for Serbian refugees and displaced persons; no major infrastructure facilities have been rebuilt; and violence against the Serbian population and

their cultural and religious sites by Albanian separatists continues. The human rights situation in Kosovo and Metohija, especially as it pertains to Serbs and other non-Albanians, continues to be deplorable.

Concern for security and safety, as well as limited freedom of movement, are definitely the most important factors having an adverse effect upon the quality of life of Kosovo and Metohija Serbs. The relative diminishing of inter-ethnic violence is not a result of improved inter-ethnic relations, but the consequence of the growing isolation of the Serbian population as a result of their retreat into enclaves or isolated villages. According to the information available to us, in the period from July to October, more than 70 attacks that could be described as ethnically motivated were carried out. The result is that there are ever fewer Serbs living in the territory of Kosovo and Metohija. In the period under review, additional concern, lack of security and disquiet were also caused by further arrests of members of the Serbian community without any explanation as to the legal grounds for issuing controversial warrants against them. In that way, added pressure is being put on the Serbian community living in Kosovo and Metohija.

I take this opportunity to emphasize once again that the systematic destruction and demolition of houses deserted by Serbs and other non-Albanians has continued. I would also like to point out that the activities of local authorities are aimed at the expropriation or forced dispossession and demolition of houses in the historical parts of towns like Peć and Đakovica.

At a time when the international community is making efforts to provide lasting housing solutions for refugees and displaced persons in the territory of the former Yugoslavia, the return of internally displaced persons to Kosovo and Metohija is a slow process characterized by a low level of sustainability. According to the latest figures for 2012, a mere 285 Serbs returned to Kosovo and Metohija, which testifies to the continuing downward trend in returns.

The way in which the Kosovo Privatization Agency is privatizing enterprises in Kosovo and Metohija is alarming, especially since January. Of particular concern is the privatization of public and social enterprises in Serbian communities. The consequences of selling such enterprises to Albanian nationals are an additional factor forcing the exit of the Serbian population.

I take this opportunity to draw the Council's attention to the ever more frequent problem of the limitation of the freedom of movement of private persons due to technical changes in the established procedure of organized police escorts, usually in cooperation with EULEX police. A particular problem is the constant prevention of visits and freedom of movement of officials of the Republic of Serbia, despite the fact that they duly inform EULEX of their visits to Kosovo and Metohija in accordance with established procedure. Even humanitarian aid has been denied entry to Kosovo and Metohija.

In Kosovo and Metohija, Serbia is constantly faced with attacks on its cultural and historical heritage. Attempts to replace and rename the Serbian cultural identity in Kosovo and Metohija as Albanian, Byzantine, Illyrian and so forth are continuously taking place in spite of the relevant recommendations and decisions of UNESCO.

I would like to emphasize once again the importance of full and effective investigation of allegations of killing for the purpose of organ trafficking contained in the report of Mr. Dick Marty, Rapporteur of the Council of Europe Parliamentary Assembly. The Republic of Serbia is ready to continue its cooperation with the EULEX investigation team in order to help establish the truth, trace the missing and achieve justice for the victims. The truth must be established in a professional and serious manner, particularly bearing in mind the information regarding the destruction by the International Tribunal for the Former Yugoslavia (ICTY) of evidence gathered by UNMIK. Serbia will continue to call for a United Nations role in the investigation.

After many years of conflict and tensions in the Balkans, the region has entered a new era of cooperation, confidence-building and dialogue. The Republic of Serbia has played a significant role in that process and is committed to resolving all problems peacefully. I wish to reaffirm our strong commitment to continuing the process of reconciliation, which is a key element for the consolidation of peace and stability in the region.

In that regard, I take this opportunity to point out the negative consequences for the reconciliation process of the latest judgement by the ICTY Appeals Chamber concerning the two Croatian generals. That judgement has stunned not only the whole of Serbia but also many legal experts around the world. We maintain that such an injustice must never happen again.

Achieving lasting peace in the region requires a comprehensive solution to be found for Kosovo and Metohija. Reconciliation between Serbs and Albanians requires tough decisions on both sides. The following words of the former Secretary-General Dag Hammarskjöld may serve as inspiration to us: "The pursuit of peace and progress cannot end in a few years in either victory or defeat. The pursuit of peace and progress, with its trials and its errors, its successes and its setbacks, can never be relaxed and never abandoned".

**The President:** I now give the floor to Mr. Hoxhaj.

**Mr. Hoxhaj:** It is my pleasure to address the Council today regarding the latest significant developments in the Republic of Kosovo during the past three months. Let me, at the outset, thank Secretary-General Ban Ki-moon for his continued efforts for peace, stability and democracy in my country and in the region.

During the past few months, we have witnessed incredible progress in Kosovo. The year 2012 has been a historic one for our country and our citizens. Due to limited time at this meeting, I will focus my comments on key developments, including the end of international supervised independence, the establishment of contractual relations with the European Union (EU), and the new phase of bilateral relations between the Republic of Kosovo and the Republic of Serbia.

On 10 September, the International Steering Group decided to end the supervised independence of Kosovo and to end the mandate of the International Civilian Office. That consensual decision by all 25 member States, including 20 European Union member States as well as Turkey, Croatia, Norway, Switzerland and the United States, closed the chapter of Kosovo's supervision forever and we entered a new phase as a fully sovereign nation. That decision came after the Parliament of Kosovo approved constitutional amendments on the 7 September that removed references to the Status Settlement produced by the two-year United Nations-led negotiation process from 2005 to 2007, mediated by the Secretary-General's Special Envoy Martti Ahtisaari. That was a major milestone for the Constitution of Kosovo as the fundamental legal framework in the country. As highlighted in the formal conclusion of the International Steering Group, the decision by members of the Parliament of Kosovo from all ethnic communities demonstrated that we were a functioning multiethnic independent State — a core value of our society.

This new phase of Kosovo's statehood emerged as a result of the close partnership over the past four years among our institutions and our international partners. Throughout that period, we were able to provide stability, build key State institutions and enhance fundamental development as a modern and multiethnic country.

Kosovo is a country made up of the diverse communities who live there and have lived there for generations. Today, we are proud that Kosovo is maintaining its multiethnic character, as it has throughout history, by protecting, promoting and upholding the principles of multiethnicity and secularism. The spirit that has governed the Ahtisaari Plan will continue ahead.

We have ended an international mission with a political mandate as a result of exercising the full extent of our sovereignty. At the same time, we remain committed to working closely with international technical missions to further enhance the progress of our country. The end of Kosovo's supervision proves that our country is a success story. In less than five years, with the closing of the international mission, Kosovo is confirmed to be a unique achievement in the history of State-building. The end of supervised independence makes us aware of our increased responsibilities to demonstrate our commitment and to address the needs of our society. The most important supervisors of independence remain the people of Kosovo. It is their suffering, their patience and their support that has led us to where we are today.

Kosovo is very committed to the rule of law as a basic precondition for democratic governance and economic development. We have made significant progress in the past months in the fight against corruption and organized crime. That was as a result of good cooperation between Kosovo's institutions and the European Union Rule of Law Mission (EULEX).

As a sovereign State, Kosovo has invited EULEX to support its justice system. In fact, the Parliament of Kosovo ratified an agreement that extended the mandate of EULEX for another two years, until 2014. The agreement was reached through an exchange of letters between the President of Kosovo, Ms. Atifete Jahjaga, and EU High Representative Catherine Ashton. That act is important for two reasons: first, it created the domestic legal bases for the EULEX presence in Kosovo and, secondly, it established a formal mutual agreement between the European Union and Kosovo.

In terms of economic development, Kosovo has maintained its macro financial stability in close coordination with the International Monetary Fund. In October, the Government decided to increase the funding for pensions from 33 per cent to 40 per cent. That development is occurring while many countries are coping with financial challenges and are making significant cuts in public sector salaries and pensions.

In the meantime, the World Bank's *Doing Business 2013* has ranked Kosovo 28 places higher than in 2012, marking the most successful progress of any country of the Western Balkans. That progress is a result of long-term reforms by the Government of the Republic of Kosovo to improve the business environment. The progress has been acknowledged by the World Bank Director for South East Europe, who emphasized

“the fact that Kosovo managed to exit eurozone crises with much better public finances and with a higher rate of increase than neighbouring countries is evidence of the strong management by the Government of Kosovo”.

On 16 November, the membership of the Republic of Kosovo in the European Bank for Reconstruction and Development (EBRD) was accepted by the Board of Governors. That will allow Kosovo to obtain new sources of development funding and will contribute to the promotion of socioeconomic development, particularly in important sectors such as energy. Membership in the EBRD will help Kosovo address the challenges of economic growth. Kosovo will be an equal shareholder with the 65 other members of that important financial institution.

Furthermore, over the reporting period, the number of international recognitions of the Republic of Kosovo, in geographical terms, continued to rise and proved to be an unstoppable development. During that period, the Republic of Kosovo was recognized by Papua New Guinea, Burundi, Timor-Leste and Fiji. I take this opportunity to thank those countries for their decisions. We continue to establish full diplomatic relations with Member countries of the United Nations. To date, Kosovo has signed more than 100 international agreements, both bilateral and multilateral.

This past October, the European Commission, through a feasibility study, confirmed that Kosovo was ready to start official negotiations on a stabilization and association agreement. That will constitute the first step towards membership in the European Union

(EU) and will bind the European Union and Kosovo together. I would like to highlight two important aspects of the feasibility study. First, it confirms that the EU will establish contractual relations with Kosovo and, secondly, it confirms that Kosovo has established its international position.

The study emphasizes that Kosovo should pay particular attention to the rule of law, public administration, the protection of minorities and trade. The European Commission also stated that the EU and Kosovo could have a formal political dialogue in order to discuss regional and international issues. That demonstrates that Kosovo is a factor of peace and stability, both regionally and internationally. It also underscores the deep concern that Serbia continues to fund and maintain its illegal structures, such as security and police structures, which are a direct threat to peace and security in the three northern municipalities of Kosovo.

Let me reiterate that our Government and citizens are very committed to peace, stability and security within Kosovo and in the region. However, I need to again draw to the Council's attention to the fact that the situation in the three northern municipalities of Kosovo remains tense and challenging, as confirmed by the report of the Secretary-General (S/2012/818). In full violation of resolution 1244 (1999) and international norms, Serbia is leading, controlling and financing illegal police and paramilitary units in that part of Kosovo. That situation has to stop. Again, I call upon Serbia to dismantle those illegal structures. They represent a grave threat to stability, not only to Kosovo but to the region. They are intended to hamper the governance of our State, to destabilize Kosovo and to create ethnic division in our communities.

A recent example of that problem is the ethnically motivated incident at Kroi i Vitakut in the northern part of Mitrovica, where the illegal Serbian structures are opposing the return of Kosovo Albanians to their homes. We condemn that provocation and are determined to reconstruct the destroyed and burned houses. If that situation continues, it will have a negative impact on Kosovo's stability and development. Therefore, we remain committed to resolving the situation in the three northern municipalities. There is a need for an integrated system of life in that part of Kosovo, in accordance with the Martti Ahtisaari Plan.

Allow me to inform the Council about the official commencement of a dialogue on the normalization

of relations between the Republic of Kosovo and the Republic of Serbia. That process is facilitated by the European Union and supported by the United States. In that context, the beginning of dialogue was followed by high-level visits to Pristina by the British Foreign Secretary, Mr. Hague, the United States Secretary of State, Mrs. Clinton, and the European Union High Representative, Baroness Ashton.

Kosovo and Serbia have a long, difficult past. The people of Kosovo have bitter memories due to decades of oppression, apartheid, the war and then ethnic cleansing. However, it is in our common interest to close that dark chapter of history. As two independent nations we are responsible for our future, and as neighbours we are destined to share our fate.

The dialogue aims to solve problems between the two independent and sovereign States in the interest of normalizing relations, improving the lives of people and advancing the European agenda for both States and the region as a whole. The process has been endorsed by the Parliament of Kosovo, which adopted a resolution on the normalization of relations with Serbia. As stated further by that resolution, the dialogue and its outcome must be in compliance with Kosovo's sovereignty, territorial integrity, international personality and Constitution.

For us, the dialogue is a democratic value, recognizing that neither threats nor violence can solve problems. That process is also a criterion resulting from the European agenda for both countries. In that context, let me quote the EU enlargement strategy 2012-2013, which says:

”[a] visible and sustainable improvement in relations between Serbia and Kosovo is needed so that both can continue on their respective paths towards the EU, while avoiding that either can block the other in these efforts.

...

“This process should gradually result in the full normalization of relations between Serbia and Kosovo with the prospect of both able to fully exercise their rights and fulfil their responsibilities within the EU.”

Let me recall the promising outcome of that process. On 19 October and 7 November, there were two important meetings between the Prime Minister of the Republic of Kosovo, Mr. Hashim Thaçi, and



the Prime Minister of Serbia, Mr. Ivica Dačić. Both meetings were chaired by the European Union High Representative for Foreign Affairs and Security Policy, Baroness Ashton.

Both countries have decided to start the implementation of all agreements reached in Brussels in the technical dialogue. The first and the most important issue discussed in both meetings was the implementation of the agreement on integrated border management. We welcome the fact that the Serbian Prime Minister has signed the respective protocol on integrated border management, and we remain confident that the implementation process from the Serbian side will not be followed by further delays. That agreement will establish a joint presence of Kosovar and Serbian authorities at border crossings. For the first time, that European model of border management will significantly foster inter-State cooperation, starting with four crossing points in full symmetry with each other.

The second important topic is the establishment of respective liaison offices in Belgrade and Pristina. Those institutions will provide consular services to their citizens and promote investment and economic cooperation. At the same time, they establish an intergovernmental communication channel, which has always been lacking. The opening of such offices will serve as a bridge to build mutual trust and enhance bilateral cooperation.

The third issue is related to the need for transparent funding by Serbia to the Serb community in Kosovo. Due to the fact that Serbia has not been transparent in its funding, we demand that Serbia change its approach. That process is closely related to the full dismantling of illegal and parallel structures in the northern municipalities of Kosovo.

The fourth issue concerns measures to protect Serb religious and cultural heritage in Kosovo. In that respect, we are fully aware of the great joint success seen in the past five years. The Kosovo Force has already transferred the protection of most sites to the Kosovo Police, and we expect the same for other monuments. The Prime Minister of the Republic of Kosovo has proposed a special unit within the Kosovo Police, which would handle only the protection of religious and cultural heritage.

In both meetings, other issues were also discussed, such as the fate of missing persons, Kosovo's

membership of various international organizations and the proposal to establish a joint technical working group to prepare a feasibility study for the Pristina-Niš motorway, which would be a significant bilateral project between both countries.

Let me conclude by saying that any success in Kosovo and in Serbia will not be found in handshakes and headlines. It will be found in the committed implementation of all agreements that can lead to tangible results on the ground. We expect Serbia to refrain from any kind of rhetoric or action regarding the international campaign against the recognition of Kosovo or its membership of different international organizations. Any violation of that basic expectation would harm mutual trust and would be against the spirit of dialogue.

Kosovo is dedicated to building a future in peace and harmony with our neighbour, and we will remain a partner in that historic process. Therefore, we firmly believe that future normalization of relations with Serbia is our destiny and that it contributes to our mutual and regional best interests. We strongly believe that the normalization of relations at the political level should serve as a foundation for the future reconciliation of our two societies.

**The President:** I shall now give the floor to the members of the Council.

**Mr. Berger** (Germany): Let me begin by welcoming Mr. Enver Hoxhaj, Minister for Foreign Affairs of Kosovo, and Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, to the Council. I would also like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing and comprehensive report (S/2012/818), which gives reason for cautious optimism.

First and foremost, we welcome the fact that the European Union-led dialogue between Serbia and Kosovo has finally resumed at the highest political level. That is an essential step forward and we fully support the efforts of High Representative Baroness Ashton as facilitator.

As pointed out by Ms. Ashton and Secretary Clinton during their recent visit to Belgrade and Pristina, the common goal needs to be the normalization of relations between both countries. Such normalization, with good-neighbourly relations as a result, is paramount if both Serbia and Kosovo are to advance towards ultimately

becoming European Union members with full rights and obligations.

We commend the willingness of the leaders on both sides to invest their political capital in that process. That capital will soon need to translate into concrete and tangible results on the ground, starting with the operation of the first border posts in the framework of the integrated border management by December, as agreed by the two Prime Ministers at their most recent meeting on 7 November.

My country also welcomes the steps taken by both sides to finally implement the agreement on the representation of Kosovo in regional organizations. We welcome the participation of the Serbian and Kosovar delegations in numerous regional conferences over the past few weeks. That dynamic needs to continue, with Kosovo's effective representation in the Regional Cooperation Council being the next important step.

We also support Kosovo's further integration into the international community. We therefore welcome the recent Board decision of the European Bank for Reconstruction and Development to admit Kosovo as a member. However, the implementation of agreements concluded months ago will not be sufficient. A crucial issue that would and should be addressed urgently as part of the dialogue is the continued existence of parallel Serbian State structures in northern Kosovo.

Regarding the areas of security, the judiciary and municipal administration, there is persistent violation of resolution 1244 (1999), which constitutes a constant threat to stability. A positive step would be the establishment of a multi-ethnic police unit by Pristina with a clear mandate to improve the protection of Serbian Orthodox religious sites. Both sides should also seriously consider the proposed liaison arrangements in their respective capitals. That could obviously facilitate future discussions and provide important practical support to citizens of the other country.

Any solution to those controversial issues will need to be understood and accepted by the people in Serbia and Kosovo. We therefore encourage political leaders in both countries to reach out to their respective constituencies in order to prepare them for the difficult decisions and painful compromises ahead. That is particularly relevant with regard to northern Kosovo. The newly established Mitrovica North administrative office can play a positive role in Pristina's outreach towards the Serb communities in that regard. We

therefore condemn the reported cases of intimidation and threats against the staff.

Ultimately, both sides need to understand that further progress lies in their national interest. It will free resources that are now tied up in dealing with the ongoing conflict and allow both countries to advance on their path towards European Union (EU) integration.

My second point is on the security situation in Kosovo, which has remained calm, despite occasional security incidents in the north. We fully support the approach of Mr. Zarif to urge the perpetrators of such acts to refrain from violence and to engage in a peaceful dialogue with all relevant stakeholders.

We also join him in strongly condemning recurring attacks by Kosovo Serbian actors against the international presence on the ground, including the reported attack on 7 September against the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo police.

The EU remains committed to further supporting Kosovo's law enforcement authorities. The extension of the EULEX mandate until June 2014 will allow the mission to continue its capacity-building efforts in the rule of law sector and to support the Kosovo authorities in the prosecution of war crimes, organized crime and corruption.

In that context, we specifically welcome progress made by the EULEX Special Investigative Task Force by, *inter alia*, ensuring Montenegro's support and cooperation in the ongoing investigations. We call on all partners to respect the Task Force's restraint in commenting publicly on its findings while investigations are still ongoing. We concur with the Secretary-General's analysis that publishing confidential testimony would jeopardize further investigations and ultimately put the lives of witnesses at risk.

We also condemn all statements questioning the impartiality of the International Criminal Tribunal for the Former Yugoslavia. Such statements only serve to undermine the mandate and authority of that institution. The judgments and decisions of an independent judiciary cannot be rated on their ability to please all parties involved.

To conclude, let me reiterate our strong support for the commitment of both parties to seriously engage in the EU-led dialogue. Progress in the dialogue process will serve as a catalyst for Serbia's and Kosovo's

European aspirations — aspirations that Germany unequivocally supports.

**Mr. Tarar** (Pakistan): My delegation thanks Mr. Farid Zarif for his briefing. We have taken note of the Secretary-General's report on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2012/818). We thank His Excellency Mr. Ivan Mrkić and Mr. Enver Hoxhaj for their statements.

Pakistan believes that UNMIK continues to play a vital role in ensuring stability in Kosovo. All constituents of the international presence in Kosovo must maintain neutrality while executing their respective mandates.

We are encouraged by the positive tone of the report of the Secretary-General concerning developments during the latest reporting period. We particularly appreciate the commitment demonstrated by the parties to engage with one another and resolve their differences through peaceful means.

In that regard, the signing by Serbia of the technical protocol on the implementation of the agreement on the joint management of crossings and the resolution of the impasse caused by differing interpretations concerning Kosovo's participation in regional meetings are important developments.

We also note with satisfaction the progress made in the implementation of the other agreements, as highlighted in the report. Full implementation of all agreements reached in the European Union-facilitated dialogue will help to build mutual trust and confidence and pave the way to addressing other outstanding issues. We look forward to the resumption of the dialogue at the earliest.

The overall security situation in Kosovo has remained stable during the past three months. However, tensions continue to prevail in the north, where some serious incidents have occurred. Such occurrences have the potential to undermine the security and stability of the territory, as well as having a negative effect on the political process. The challenges and tensions in the relations between Pristina and northern Kosovo can best be addressed through dialogue.

The Secretary-General's report highlights the recurrence of the targeting of minorities. Such incidents breed a sense of insecurity among potential returnees. The incidents should be properly investigated, and the perpetrators must be brought to justice.

The creation of conditions for the peaceful integration of minority communities and sustainable returns is essential for building the foundation for long-term reconciliation among communities. Acts of vandalism against cultural and religious heritage sites are unacceptable and need to be addressed effectively. We call upon all parties to pursue the path of dialogue and engagement for the sake of lasting peace in Kosovo and the region.

The recent developments noted by the Secretary-General underscore that the parties are able to overcome obstacles and are willing to move forward. It is therefore essential to maintain the positive momentum.

Finally, we commend the Special Representative of the Secretary-General and his team for their contribution to the security and stability of Kosovo.

**Mr. Churkin** (Russian Federation) (*spoke in Russian*): My delegation would like to thank Mr. Zarif for presenting the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/818). We welcome the participation of Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, in today's meeting and agree with his assessment. We have closely followed the statement of Mr. Hoxhaj and note his carefully selected comments and references to Security Council resolution 1244 (1999).

In discussing the legality or illegality of the events in Kosovo we need to bear in mind the illegality of a unilateral declaration of independence. Russia's position of non-recognition of the unilateral declaration of independence by Kosovo remains unchanged. Resolution 1244 (1999) remains fully in force and legally binding in terms of any international basis for a Kosovo settlement.

In that context, we note the decision of the participants of the so-called International Steering Group that was set up to bypass the Security Council in order to implement decisions that have not been approved by the Council. What we are referring to here is the Ahtisaari plan on the completion of the period of controlled independence of Kosovo, which is merely a political curiosity. No one entity is in a position to take a decision in place of the Security Council.

The United Nations Interim Administration Mission in Kosovo (UNMIK) should remain the main international presence in Kosovo and should carry out its work fully in the province. In that regard, we

are concerned by the cut in funding to the Mission's administration in Mitrovica.

We view the launching of dialogue at the highest political level between Belgrade and Pristina, and the negotiation process as a whole, as a viable instrument for stabilizing the situation and for the political and diplomatic settlement of controversial issues, including the protection of Serbian cultural and religious heritage sites in the province. Dialogue is the only instrument capable of solving the thorny problems in the province, including in northern Mitrovica.

We are concerned that the situation in Kosovo remains highly tense. There has been no decrease in inter-ethnic incidents, some of which were mentioned in the report of the Secretary-General.

Another source of concern is Pristina's attempts to establish control over Serb-populated districts of Kosovo. The fact that Pristina opened a municipal administration in northern Mitrovica has provoked new incidents. That also pertains to the practice of the Kosovo police of detaining cars with number plates issued in Serbia, a practice that has been supported by the European Union Rule of Law Mission in Kosovo (EULEX). It also pertains to the ban on the use of Serbian driver's licences. There are serious problems with respect to the freedom of movement of Serbians in the territory of Kosovo. It is unacceptable for those actions by Kosovo Albanians to be allowed by the international presences, which should clearly be guided by their mandates. Their activities should be status-neutral.

The difficult situation in the province is illustrated by the problem of the return of refugees; there has been no progress towards finding a solution in that respect. According to the report of the Organization for Security and Cooperation in Europe mission in Kosovo, only 22,200 out of 235,000 Serbian refugees and internally displaced persons (IDPs) have tried to return to their former homes, and only 4,000 of those have remained. There has been an increased drain of Serbs from the province to other regions of Serbia. Another egregious phenomenon is the pillaging of homes earmarked for IDPs, the seizure of property and damage to religious and cultural heritage sites.

There is a widespread practice of unjustly accusing returnees of having been involved in crimes during the period of conflict in the 1990s. A difficult inter-ethnic situation has arisen recently in Brdjeni, in the

northern part of Kosovo Mitrovica. On 19 November, it degenerated into an exchange of fire, started by the Kosovars in response to protests by the Serbs against the non-consensual building of homes for Albanians. It seems to us that the Kosovar Albanians are striving to change the ethnic makeup of the population and to squeeze the Serbs out of the northern part of the town. The consequences of this are unpredictable. We underscore that the adoption of any decision regarding the north of Kosovo should take into account the views of the local Serbian population. We urge Mr. Zarif to give a fundamental assessment of the situation and to take an active stance in line with his mandate.

The international presences in Pristina should step up their efforts to develop inter-ethnic dialogue and to build trust, without which prospects for a multi-ethnic society in Kosovo are unrealistic. Oil has also been poured onto the fire by the ruling of the International Tribunal for the Former Yugoslavia on the Croatian generals. The promotion of radical elements clearly will not promote inter-ethnic reconciliation across the whole of the former Yugoslavia, including Kosovo.

We look forward to the results of EULEX's investigation of the cases identified by Dick Marty, of the Parliamentary Assembly of the Council of Europe, concerning organ trafficking. We would like to draw the Security Council's attention to the fact that criminal proceedings have been reopened in a case regarding the participation in the murder and torture of civilians of one of the leaders of the Kosovo Liberation Army, Mr. Limaj.

The Kosovo Force (KFOR) is acting on the basis of the Security Council's mandate, and it bears primary responsibility for the maintenance of security in the province. Any change to its function and format must be approved by the Council. We hope that NATO will recognize the potential implications of the transfer of responsibilities from KFOR to Pristina law-enforcement structures for the safety of the Orthodox monasteries in the south of the province, and we hope also that it will take preventive measures in order to avert further inter-faith and inter-ethnic clashes. We have often mentioned the pitiful condition of the province's Orthodox churches, which have been vandalized and whose clergy have been attacked. This problem requires closer attention.

The stabilization of the situation in Kosovo is a long way off. This has also been confirmed by the report of the European Union (EU) auditors, who have noted

the unsatisfactory results of EU assistance to Pristina in the rule-of-law area. The document underscores the fact that the results are limited and insufficient given the objectives of the EU, the efforts made and the financial resources used. According to the auditors, the situation regarding the rule of law in Kosovo remains unsatisfactory. In order to improve it, the EU must ensure that EULEX delivers better and that it be much more demanding of the Pristina authorities, which are currently taking a passive stance.

In conclusion, I should like to urge the international presences in Kosovo, whose unity was mentioned earlier by Mr. Zarif, to take coherent action aimed at the implementation of resolution 1244 (1999).

**Mr. Araud** (France) (*spoke in French*): I should like to thank the Special Representative of the Secretary-General for his briefing as well as the Ministers for Foreign Affairs of Serbia and Kosovo for their statements.

As the report of the Secretary-General (S/2012/818) points out, and as Mr. Zarif has just noted, we can be pleased with several developments that have taken place since last we met. I will mention three of them.

First, the end of the supervised independence of Kosovo on 10 September has opened a new chapter in history. This represents an opportunity that should be seized so as to consolidate the reality of a sovereign, democratic and multi-ethnic Kosovo that is respectful of human rights and living in peace with its neighbours. To that end, Pristina must convince the Kosovo Serbs that Serbs and Albanians have a common future and shared interests both in the north and in the south. They must give concrete assurances with respect to security and decentralization to Serbs in the north of Kosovo, exploring all the possibilities offered by the Ahtisaari plan.

We view the establishment by the Kosovar authorities of the Mitrovica North administrative office as a step in the right direction, but we have to go even further in terms of political vision and public investment. Belgrade, for its part, must also contribute to the settlement of the issue, including by finding a solution to the question of illegal parallel structures in the north by eliminating security structures and integrating socioeconomic ones into the legal Kosovar framework.

We support the integration of Kosovo into the international community and its recognition by a

growing number of States. The fact that the European Bank for Reconstruction and Development has decided to welcome Kosovo as a member will promote its economic and social development as well as regional stability.

Secondly, the dialogue between Serbia and Kosovo held under the auspices of the European Union (EU) has resumed at a political level, that of heads of Government. That is an important gesture that confirms the will of both sides to normalize their relations within the framework of European rapprochement. We support, of course, the efforts made by Mrs. Ashton towards a comprehensive settlement of the issue that would allow both countries to fully devote their energies and their efforts to their European prospects.

We are encouraged by the progress made with respect to integrated border management. We hope that the agreements already reached will be implemented in good faith and that this new dynamic will make it possible to achieve progress in new areas for the greater benefit of the citizens of both countries.

Thirdly, the security situation remains calm despite a few incidents. We are closely following the situation in the north of Mitrovica. The United Nations Interim Administration Mission in Kosovo (UNMIK) office must demonstrate the required neutrality.

As the report of the Secretary-General underlines, it is crucial to strengthen the human rights of minorities in Kosovo, protect its religious and cultural heritage, and ensure the return of the 18,000 internally displaced persons and refugees in conditions conducive to security and reintegration. Respect for human rights is crucial for the stability of Kosovo.

We would recall also that the personnel of the Kosovo Force and the European Union Rule of Law Mission in Kosovo (EULEX) are responsible for ensuring freedom of movement in Kosovo, in accordance with resolution 1244 (1999). Any obstacle to their own freedom of movement is unacceptable.

The prospect of European integration should make it possible for Serbia and Kosovo to put conflict behind them once and for all. The future of both countries is the European Union.

We hope that when the time comes we can reach the stage of membership negotiations with Serbia, once the conditions set out by the European Union have been fulfilled. France supports the negotiation of a

stabilization and association agreement with Kosovo once the preconditions laid down by the European Commission have been met. In that respect, we encourage the Government of Kosovo to undertake the necessary reforms in the areas of the rule of law, public administration and the business environment.

We support the increased commitment of the European Union to Kosovo. It is crucial that the authorities of that country cooperate with the EULEX mission, especially in investigating allegations of organ trafficking. We are pleased that the EULEX report annexed to that of the Secretary-General provides the Security Council with information on the progress achieved, and we welcome Mr. Williamson's interaction with the highest authorities of Serbia. It is also important for the Government of Kosovo to work closely with the European Union Special Representative and with the head of the European Union Office.

I should like to conclude by thanking the Special Representative and United Nations agencies in Kosovo for their efforts. We invite UNMIK to continue to cooperate with the other international organizations that are present there and to adapt its efforts to the evolving situation.

**Mr. Bouchaara** (Morocco) (*spoke in French*): At the outset, I would like to thank Mr. Farid Zarif, Special Representative of the Secretary-General, for his briefing on the most recent report of the Secretary-General (S/2012/818) on the United Nations Interim Administration Mission in Kosovo (UNMIK). I would like to take this opportunity to wish a warm welcome to Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, and to Mr. Enver Hoxhaj.

During the reporting period covered by the Secretary-General's report, the security situation remained calm and stable overall, despite certain persistent and sporadic incidents, which particularly affected the Serb minorities in the north of Kosovo and could undermine the momentum of recent months. However, positive signs are on the rise following the formation of a new Serb Government, and there is reason for hope, as seen in the willingness of the two parties' leaders to step up their commitment to resolving their differences. Indeed, the discussions between the two parties, under the auspices of the European Union, have reached a new phase in terms of technical issues. However, substantial issues have not seen much progress. Thus, negotiations on the question of regional cooperation, civil registration, land registry

and joint border crossing management have seen progress, but such issues as the freedom of movement and the certification of degrees have not.

The progress achieved must not overshadow incidents affecting minorities, be they acts of vandalism, religious intolerance or the destruction of religious sites. These incidents are not likely to bring the communities together, much less reconcile them. They serve only to promote the agenda of those opposed to peace and stability in the region.

On another question entirely, that of investigations into war crimes, forced disappearances, murders and money laundering, we would encourage the investigations led by the European Union Rule of Law Mission in Kosovo. We would also encourage UNMIK to continue to carry out its mandate.

The region has suffered too long from the ravages of war and fratricidal conflicts. It is now up to Serbia and Kosovo to work fervently to resolve their differences. In this respect, we welcome the commitment and efforts made by UNMIK and the Kosovo Force, who continue to play a very important role with the parties with a view to making progress on the questions that divide them, and above all to finding a comprehensive and inclusive political solution, in line with the provisions of resolution 1244 (1999).

**Mr. Alzate** (Colombia) (*spoke in Spanish*): I thank the Secretary-General for his report (S/2012/818) on the United Nations Interim Administration Mission in Kosovo (UNMIK), and Mr. Farid Zarif, Special Representative of the Secretary-General, for his very detailed briefing on the Mission and recent events in that country. Allow me to also welcome the Ministers for Foreign Affairs of Kosovo, Mr. Enver Hoxhaj, and of Serbia, Mr. Ivan Mrkić. We listened very carefully to their statements.

We note that, during the period covered by the report, the security situation in Kosovo remained relatively calm, and useful efforts were made by local leaders in the region to moderate their rhetoric and improve trust between the communities. However, we are concerned by a few incidents that took place in the north of Kosovo.

I would also like to highlight the progress achieved in the implementation of the agreements reached through dialogue and the adoption of measures for implementing regional cooperation agreements and

joint management of border crossings. All of this leads us to call on the parties to continue to work on the basis of the achievements that have been reached and with renewed energy on those issues that still present difficulties. We hope that the dialogue promoted by the European Union between Belgrade and Pristina will be resumed with renewed confidence, aiming at peace and prosperity.

We note that the issue of the return of communities to their places of origin still raises certain types of challenges, including in the socioeconomic sphere and with respect to coexistence. In that respect, Colombia recognizes the work carried out by the Office of the United Nations High Commissioner for Refugees and its partners to work with displaced persons towards rapprochement, and the valuable contribution of other stakeholders who have contributed to this urgent task. We commend the initiative of the Office of the United Nations High Commissioner for Human Rights in Kosovo and UN-Women in offering their support to the Kosovo Agency for Gender Equality in the Office of the Prime Minister in the development of a Kosovo action plan on the implementation of resolution 1325 (2000).

We are concerned that attacks against international organizations in Kosovo continue. My delegation rejects and condemns such acts and calls emphatically for respect for the work of these organizations and an end to these attacks. Furthermore, given the charges of organ trafficking, Colombia will closely follow the results of the investigation, and offer its support to the work carried out by Mr. Williamson, the lead prosecutor of the Special Investigative Task Force. We hope that it will reach a swift conclusion and ensure that those responsible for these acts are brought to justice.

Security, stability and respect for human rights are key to building lasting results. We therefore believe that UNMIK must continue to promote cooperation in this area between the parties involved and regional and international agencies.

To conclude, I would like to express Colombia's satisfaction with the holding of the meeting between the Heads of Government of Kosovo and Serbia in Brussels under the auspices of the European Union. We hope that this will mark the beginning of a new period of deeper and more extensive dialogue and cooperation between Belgrade and Pristina.

**Mr. Moraes Cabral** (Portugal): I thank the Special Representative of the Secretary-General for his

comprehensive briefing, and the Foreign Ministers of Serbia and Kosovo for their statements.

During the period under review, we have registered positive developments in the Belgrade/Pristina dialogue, facilitated by the European Union. These include the positive steps taken by both parties to reduce tensions and normalize the relationship between them, such as the interpretation of agreements between them on integrated border management and regional cooperation.

In this regard, a particular mention should be made of the role of the European Union. The reconfiguration of the European Union Rule of Law Mission in Kosovo (EULEX) and the extension of the Mission's mandate until June 2014 are a clear acknowledgement of its contribution and efforts in the Kosovo context. At the same time, the relative calm in Kosovo, particularly in the north, is noteworthy and requires the further encouragement and support of the international community.

This must not, however, draw our attention away from the serious obstacles to freedom of movement that still persist. Incidents associated with the limitation of free movement and the overall activity of UNMIK and EULEX in the north of the country continue to be of particular concern, and Portugal calls upon the parties to cooperate constructively to facilitate movement in the north.

On a different note, albeit one that is as important to the future of Kosovo as any of the previous ones, I would like to underline two issues that are central to coexistence and reconciliation between Kosovo Serbs and Albanians. The first pertains to religious and cultural heritage. Portugal deeply regrets and condemns the recurrent attempts to damage religious, historical and cultural heritage in Kosovo. Echoing the words of the Secretary-General,

“promotion of this valuable cultural and spiritual heritage on the basis of ethnic and religious tolerance remains central to achieving peace and a prosperous future for Kosovo” (*S/2012/818, para. 42*).

It is incumbent on Kosovo's authorities to protect such heritage, and we are encouraged by the celebration without incident of Orthodox religious festivities in Kosovo.

The second point is about the right of return. The relevance of the work being undertaken by various

entities, most notably the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration, regarding the return of refugees and displaced persons to their homes in Kosovo should be highlighted. Much has been done, and what has been achieved must be applauded and duly supported. Nevertheless, an immense task is still ahead of us. The perception of a peaceful and secure environment for returnees in Kosovo will be decisive to the normalization of relations between Kosovo and Serbia, as well as a gauge of the progress achieved by the Kosovo authorities, not only in the area of security or economic development, but also in terms of the rule of law and human rights.

That leads me to my final point, which is the recent activity of EULEX, and particularly that of the Special Investigative Task Force. Portugal commends the efforts already undertaken by EULEX, and welcomes in particular the most recent efforts of the lead prosecutor and head of the Special Investigative Task Force. Portugal takes note of the reported level of willingness to cooperate on the participation of all quarters contacted so far by the lead prosecutor, including the willingness to cooperate shown by the Government of Montenegro, as well as that of other countries of the region, which, we are sure, would contribute to an adequate investigation on the horrifying allegations contained in the Marty report and to any concrete and credible action that it may require in terms of countering impunity and promoting justice and peace.

These are noble and fundamental goals that my country considers essential to pursue, not only in Kosovo but also in the wider Balkan region as a whole.

**Mr. Musayev** (Azerbaijan): At the outset, I would like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for presenting the report of the Secretary-General (S/2012/818) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We welcome the participation in today's meeting of the Serbian Minister for Foreign Affairs, Mr. Ivan Mrkić, and thank him and Mr. Enver Hoxhaj for their statements.

The position of Azerbaijan with regard to the sovereignty and territorial integrity of Serbia and non-recognition of Kosovo's unilateral declaration of independence remains unchanged. Resolution 1244 (1999) continues to be the binding international legal basis for a comprehensive settlement through a political process and negotiations. As the

Secretary-General stated during his visit to the region, it is critical to seek peaceful solutions to politically sensitive issues and to exercise moderation in order to avoid a possible increase in tension. In that regard, we emphasize the utmost importance of UNMIK's presence and activities in Kosovo. We believe that the Mission's mandate and budgetary capacities should remain unchanged and possibly enhanced. Furthermore, UNMIK should maintain and further develop its key role in coordinating all international efforts under its status-neutral framework, as envisaged in resolution 1244 (1999).

As the report of the Secretary-General notes, the Special Representative has closely interacted with key actors at the community and political levels, including in Belgrade and Pristina, to promote constructive engagement. We encourage the Special Representative and UNMIK to continue such interaction and dialogue. According to the report, the overall security situation remained generally calm during the reporting period. However, security incidents, ethnically motivated attacks and violence, and acts of vandalism and religious intolerance have continued, affecting first and foremost the rights and freedoms of minority communities in Kosovo. Obviously, the atmosphere of impunity for such violations can hardly contribute to enhancing public confidence or to building the foundation for a long-term reconciliation.

The situation regarding the return of internally displaced persons to Kosovo again showed few signs of improvement during the reporting period. At the same time, the existing socioeconomic problems and recurring security incidents in several returnee areas only strengthened perceptions of insecurity among potential returnees and thus stalled the progress in sustainable returns. We take note of some efforts made by local authorities to improve relations between the majority population and the minority communities and to address socioeconomic hardships. Continued international engagement is needed to complement those efforts.

The protection of religious and cultural heritage must remain a priority for UNMIK. Although some progress was observed in that area during the reporting period, frequent acts of vandalism and instances of religious intolerance have continued to undermine the process of reconciliation among the communities. We once again recall the obligations to comply with the commitments made by the respective sides in that



regard. Undoubtedly, the preservation of the region's rich cultural diversity and the further promotion of its cultural and spiritual heritage on the basis of ethnic and religious tolerance remain key to achieving peace and a prosperous future in the region.

We take note of the information regarding the investigation of the facts contained in the report of Council of Europe Special Rapporteur Dick Marty related to a wide range of criminal offences, including organized crime, the inhumane treatment of people and organ trafficking. We strongly believe that the establishment of truth will strengthen the principles of justice and the rule of law and contribute to a lasting political settlement.

We also note that, during the reporting period, UNMIK continued to support and encourage progress on the issue of missing persons, which remains one of the essential aspects of reconciliation. We encourage the sides and international partners to continue their efforts to that end.

In conclusion, I would like to commend UNMIK, under the leadership of Special Representative Zarif, for its efforts and important role in maintaining peace and stability in Kosovo and the entire region.

**Mr. M'Beou (Togo)** (*spoke in French*): At the outset, I would like to thank the Special Representative of the Secretary-General for Kosovo, Mr. Farid Zarif, for presenting the quarterly report of the Secretary-General (S/2012/818) on the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to welcome Mr. Ivan Mrkić and Mr. Enver Hoxhaj and to thank them for their respective statements.

We welcomed the favourable conditions in which the presidential and legislative elections took place in Serbia in May, with the participation of Kosovo Serbs. However, we regret that the elections interrupted the dialogue coordinated by the European Union between the Kosovo and Serbian authorities and the implementation of the seven agreements that were previously concluded between the two countries. Today, we welcome the fact that the two parties have shown their willingness to resume peaceful dialogue in the context of joint efforts to settle their differences once and for all.

We note with satisfaction that that new dynamic has led to the implementation of some technical agreements, in particular the endorsement by the Serbian authorities on 25 September of the protocol to the agreement on integrated management for crossing points, and the

publication that month of an instruction that allowed for ambiguities in interpretations of the use of the footnote reference to be overcome. That has enabled the Serbian and Kosovo representatives to participate in same regional forums. We urge the two protagonists to continue along those lines in order to fully implement the seven technical agreements and to strive to reach a consensual agreement on the final status of Kosovo.

Furthermore, we note the decision taken on 10 September by the Kosovo authorities and the International Steering Group to bring an end to the supervised independence of Kosovo by the International Civilian Office. Nonetheless, we note that, while progress has been made by Kosovo since its declaration of independence, in particular regarding the overall stability and security of the country, efforts still need to be made, particularly in northern Kosovo, which remains an area of tension due to the fact that the status of the country has not yet been unanimously agreed upon within the population.

It is worrying to note that the local Serbian community still refuses to recognize the authority of the central Government, resulting in persistent, tangible tensions. The blockade for several days in July of the crossing at gate 1 at Jarinje in Leposavić municipality to protest the continued presence of Kosovo police and customs officers there, as well as a number of armed incidents occurring in the north of the country, such as the firing of automatic weapons at Kosovo police and vehicles belonging to the European Union Rule of Law Mission in Kosovo (EULEX), clearly demonstrate the fragility of the situation in that part of the country.

The persistence of such incidents, like the inter-ethnic violence and the refusal to live together peacefully, are simply the result of the lack of consensus between the Serbian and Kosovo authorities on Kosovo's final status. That is why we believe it crucial for the international community, and the Security Council in particular, work tirelessly towards a rapprochement between Serbia and Kosovo. In that regard, we commend the European Union's continued efforts to maintain the momentum of a peaceful dialogue between the two countries.

We urge all the parties concerned to pursue and promote the negotiations that are the only route to a peaceful and lasting settlement of their differences, and to avoid any act that might exacerbate tensions between the various communities and dim the prospects for their reconciliation. We also again encourage the

Kosovo authorities to take all measures necessary to protect cultural and religious heritage sites from theft and vandalism.

Finally, my country reiterates its congratulations to UNMIK, the Kosovo Force, EULEX, the Organization for Security and Cooperation in Europe and all the partner organizations that continue to work not only to help Kosovar institutions run smoothly and to restore security and the rule of law, but above all to bring the various communities of Kosovo together and beyond that to arrive at a definitive settlement of its status.

**Mr. Tatham** (United Kingdom): I thank the Special Representative of the Secretary-General for Kosovo, Mr. Farid Zarif, for his briefing today. I would also like to welcome to the Council Mr. Enver Hoxhaj, Minister for Foreign Affairs of Kosovo, and Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia.

The United Kingdom is grateful for the Secretary-General's comprehensive report (S/2012/818), and indeed for his own close engagement with this issue, reflected in his visit to Kosovo in July.

Kosovo continues to make progress, both internally and on the international stage. Internally, in September the International Steering Group declared the end of Kosovo's supervised independence. This is a measure of substantial internal progress, although, obviously, efforts to consolidate a multi-ethnic and democratic society must continue. Internationally, since our last meeting in August (S/PV.6822), four more United Nations Member States have recognized Kosovo. We encourage those countries that have not yet recognized Kosovo to do so.

The United Kingdom welcomed the conclusions of the European Commission's feasibility study on the Stabilization and Association Agreement with Kosovo. The conclusions underline that Kosovo is no longer a special case; it is moving down the same European Union (EU) accession path as the other countries of the western Balkans. It follows that it will be expected to deliver the same requirements, in terms of the reforms necessary to meet the EU accession criteria. We wish the Kosovo Government well in that regard; the United Kingdom remains a firm supporter of Kosovo's EU accession path.

Good-neighbourly relations are a crucial aspect of the EU accession process. We therefore welcome the recent reinvigoration of the EU-facilitated dialogue, reflected in high-level meetings that postdate the

issuing of the Secretary-General's report. I readily join Special Representative Zarif and other Council members in welcoming this vital step. We look forward to seeing tangible progress towards resolving issues at the political level in order to reinforce the encouraging progress already made in taking forward technical agreements such as those on regional cooperation and cadastre records. We are particularly encouraged to note the progress made on integrated border management. Going forward, it will be important to engage the local community in northern Kosovo to ensure success.

The situation in northern Kosovo continues to be a potentially destabilizing factor. We urge Belgrade to take the necessary steps to remove illegal parallel security structures in northern Kosovo. While the dialogue remains a key vehicle for addressing the overarching political issues, it remains important for the authorities in Pristina to engage their citizens in the north. They must demonstrate in both word and deed their resolve to protect the community in northern Kosovo, and to work towards its social and economic well-being.

We are concerned about the recent unrest in the ethnically mixed area of Kroi i Vitakut/Brđjani. The United Kingdom reiterates its support for the right of return of all Kosovo's communities, providing it is exercised in a transparent and consultative fashion and with the correct documentation. We call for calm and encourage all those involved to enter into dialogue in order to find a secure and sustainable solution that allows all citizens the right to return to their place of origin.

The United Kingdom continues to be grateful for the professional way in which both the Kosovo Force and the European Union Rule of Law Mission in Kosovo (EULEX) are carrying out their mandates. We particularly welcome EULEX's efforts to increase its presence in Zubin Potok. We condemn the 7 September incident against EULEX and Kosovo police personnel that led to injuries to a Kosovo police officer. The perpetrators must be brought to justice.

With regard to the protection of minorities and cultural heritage, we welcome the efforts of the Kosovo police to enhance community policing and the engagement of the Organization for Security and Cooperation in Europe in that process. It is important that the planned recruitment drive for Kosovo police give special attention to recruiting officers from the Kosovo Serb and other minority communities. We also

note the outreach by municipal officers to returnees. It is important for Kosovo to continue taking visible measures to prevent inter-ethnic incidents and to investigate fully when such incidents do occur. We welcome the recognition in the report of the importance of socioeconomic factors in establishing sustainable returns, and the United Kingdom remains committed to the returns process through political engagement and bilateral projects.

The United Kingdom continues to support the important work being done by the EULEX Special Investigative Task Force to look into the allegations relating to organ trafficking made in the Marty report. We are confident in its capacity and determination to take this important investigation forward. Let me also take this opportunity to reiterate the simple but important point that the United Kingdom respects the verdicts of the International Tribunal for the Former Yugoslavia.

I would also like to welcome the important work, referred to in the Secretary-General's report, that has been taken forward by the United Nations Kosovo team and the United Nations Interim Administration Mission in Kosovo, together with the EU and civil society, addressing the theme of the status of survivors of conflict-related sexual violence. This is a hugely important issue, particularly in post-conflict societies such as Kosovo. The British Foreign Secretary, William Hague, has recently launched an initiative on preventing sexual violence that aims to strengthen international efforts and coordination to prevent and respond to sexual violence. We will give strong support to efforts to address the challenge posed by this tragic legacy of past conflict in Kosovo.

The United Kingdom remains committed to the irreversible progress of both Kosovo and Serbia towards EU membership. We hope that the positive conclusions of the feasibility study will be welcomed by the EU General Affairs Council in December, with a view to negotiations on the Stabilization and Association Agreement with Kosovo being opened in 2013, once the conditions have been met. We hope that both Belgrade and Pristina will continue to engage constructively in the dialogue, and we look forward to further tangible results.

**Mr. Li Baodong** (China) (*spoke in Chinese*): I am grateful for the statements made by Special Representative Zarif and the Minister for Foreign

Affairs of Serbia, Mr. Ivan Mrkić. I also listened carefully to the statement by Mr. Hoxhaj.

The situation in Kosovo remains calm, but it is a calm shadowed by sensitivity and fragility. In particular, we are concerned about the fact that ethnic relations in the north remain tense. The parties involved must adopt a prudent approach, stick to dialogue to resolve their differences, and avoid taking actions that might further complicate or escalate the situation. China has always called for full respect for the sovereignty and territorial integrity of Serbia. The question of Kosovo must be dealt with within the framework of resolution 1244 (1999). It is up to the parties concerned to find an acceptable solution through dialogue and negotiations.

China welcomes the high-level direct talks between Belgrade and Pristina, and hopes that both parties will bear in mind the overarching interest of lasting peace in the region and the well-being of their peoples as they continue making progress in the process of dialogue in order to preserve peace and stability in the Balkans and in Europe as a whole.

China welcomes the mediation efforts of the Secretary-General aimed at resolving the question of Kosovo. We commend the work carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK) and support its ongoing efforts to implement the Council's mandate. We hope that the international presence through UNMIK, the European Union Rule of Law Mission in Kosovo and the Kosovo Force will strengthen coordination and play an active and constructive role in facilitating solutions to the outstanding questions.

China is deeply concerned by the illegal smuggling of human organs in Kosovo. Any violation of the standards of international law and international humanitarian law is unacceptable, and the perpetrators must be held accountable. The Council should play the role that is expected of it and ensure the full and complete investigation of the cases in question.

**Mr. Laher** (South Africa): South Africa thanks the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing today on the report of the activities of the United Nations Interim Mission in Kosovo (S/2012/818). We welcome Serbian Foreign Minister Mr. Ivan Mrkić to the Council and thank him for his statement. We also welcome Mr. Enver Hoxhaj and thank his for his statement.

We are pleased that the situation in Kosovo remains relatively stable. However, the security incidents that have occurred are an indication that tensions remain, and unless the legitimate concerns of all parties are resolved through a negotiated, peaceful settlement, they will continue to be a threat to the stability of the region.

South Africa takes note of the decision announced by the International Steering Group concerning the end of the supervised independence of Kosovo and the subsequent action by the Kosovo authorities in that regard. We maintain that resolution 1244 (1999) should remain in force and forms the basis for the resolution of the situation in Kosovo. It is therefore incumbent on the international presence in Kosovo, including the Kosovo Force and the European Union Rule of Law Mission in Kosovo, to maintain a status-neutral position in the execution of their mandates, in line with the previous decisions of the Security Council,

The two sides should refrain from any unilateral action that could undermine the achievements attained in the dialogue process. We therefore call on the parties to exercise flexibility and enhance their engagement in order to resolve outstanding matters and for reconciliation to prevail.

My delegation continues to support the dialogue process between Belgrade and Pristina facilitated by the European Union, as mandated by the General Assembly. We have noted the many positive developments during the reporting period, in particular the resumption of the European Union-led talks in Brussels on 19 October following their suspension in February. Those discussions are essential for building trust and mutual confidence between the parties and will, we hope, facilitate agreement on outstanding issues. We look forward to the continuation of that dialogue.

Regular and direct contact is an important confidence-building measure to improve trust and allow the parties to address the outstanding and contentious issues.

We welcome the signing by the Serbian authorities on 25 September of the technical protocol on the implementation of the agreement on the joint management of crossings. South Africa encourages all sides to strengthen the dialogue process in order to reach agreement on outstanding contentious issues, including the difficulties being encountered in the implementation of agreements already reached.

We are, however, concerned that the security situation in northern Kosovo remains fragile. The outbreaks of violence and increased tensions between ethnic groups have a negative impact on efforts to build an environment conducive to building peace and national reconciliation. Both sides should work together and exercise restraint to prevent violent confrontations from occurring. Furthermore, we concur with the Secretary-General that

“the peaceful integration of minority communities, creation of conditions for sustainable returns and laying the foundation for long-term reconciliation among communities must remain priorities” (S/2012/818, para. 53).

We are concerned that the number of returnees remains much lower compared to previous years. It is imperative that the parties work together to create safe conditions on the ground to encourage the minorities to return to their homes. It is equally important that the rights of the minorities and their properties are protected by law.

My delegation has noted with appreciation the parties' determination to cooperate on the reconstruction of some Serbian Orthodox Church sites that were damaged. Such cooperation is a positive step. However, we reiterate that security at religious sites should be strengthened to protect them from the risk of vandalism. Public reconciliatory pronouncements from leaders on both sides are welcome and remain positive contributions towards reconciliation.

Regarding the issue of missing persons, South Africa welcomes the progress achieved so far in identifying some of the remains, although the number of those still missing remains high. The parties' commitment and cooperation on this issue are commended. We remain confident that, with the support of the United Nations Interim Administration Mission in Kosovo (UNMIK) and assistance from the International Committee of the Red Cross, much progress can be made.

Regarding the allegations of organ trafficking, we wish to reiterate our position that a credible, thorough, impartial and independent inquiry into these allegations should be conducted. We hope for tangible results from the process that is already under way.

In conclusion, South Africa would like to express our appreciation and support for the role of UNMIK under the capable leadership of Mr. Farid Zarif in implementing resolution 1244 (1999).

**Mr. Rosenthal** (Guatemala) (*spoke in Spanish*): I thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK), contained in document S/2012/818. We also thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for having introduced the report, and Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, and Mr. Enver Hoxhaj for their statements.

We support the dialogue between the parties aimed at achieving a definitive solution to the question of Kosovo. We welcome the two recent high-level meetings between the parties, facilitated by the European Union. We are pleased by the constructive and pragmatic attitude of Serbia. In that regard, we note a number of positive developments in the activities being undertaken to implement the agreements achieved through that dialogue. We underscore the importance of the dialogue regarding crossing points.

This leads me to the situation in northern Kosovo, which remains a source of concern to my delegation. We call on the parties to act with restraint in order to reduce the risk of political setbacks or a resurgence of instability. In that regard, we were surprised by the change with regard to the local administrative office in Mitrovica. In his previous report, the Secretary-General expressed concern at the deviation by the Pristina authorities of Kosovo budget funds intended for UNMIK administration to a local administrative office. The current reports conveys this as a fact, even though that administrative office does not enjoy the support and trust of the public.

I would like to highlight the importance of confidence-building measures between the parties. We also support the efforts of the Special Representative to maintain close relations with key political actors at the community level, including in Belgrade and Pristina, to promote constructive contact.

Nonetheless, one area in which sufficient progress has not been made is the situation of minority communities in all areas of Kosovo. In that regard, we should like to receive more specific recommendations on how the Security Council can support UNMIK in carrying out its mandates. This is also crucial to improving the rate of voluntary returns to Kosovo.

Similarly, I would like to refer to the work of the Special Investigative Task Force charged with analysing allegations of human rights violations and

organ trafficking in Kosovo. We are closely following the progress in that regard. We note the report on the activities of the European Union Rule of Law Mission in Kosovo (S/2012/818, annex I). We continue to believe that it would be best to find an arrangement that involved the United Nations in investigating those allegations.

In conclusion, despite the extensive presence of UNMIK on the ground, the report of the Secretary-General reveals that it continues to play an irreplaceable function as a guarantor of stability and neutrality in Kosovo and in the region. We must see to the full implementation of resolution 1244 (1999), which is the basis of the legal framework that must be applied to Kosovo and respect for international law. We reiterate our support to UNMIK for the neutrality with which it carries out its duties as the key liaison for coordination with international organizations. Furthermore, a strong presence is still necessary as a result of the situation on the ground, especially in the north of Kosovo.

**Mrs. DiCarlo** (United States of America): I thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing. I would like to welcome both Minister for Foreign Affairs Hoxhaj and Minister for Foreign Affairs Mrkić to the Council, and thank them for sharing their perspectives with us. I would also like to express again my appreciation to our long-standing partners in Kosovo, the European Union (EU), the European Union Rule of Law Mission (EULEX), the Kosovo Force (KFOR)/NATO, the Organization for Security and Cooperation in Europe and other organizations that support the United Nations Interim Administration Mission in Kosovo (UNMIK). I would like to make three main points.

First, the United States commends Kosovo and Serbia for their efforts to move towards normalizing their relations and to continue on a path towards full Euro-Atlantic integration. The 19 October and 7 November meetings of Prime Ministers Thaçi and Dačić with EU High Representative Ashton demonstrate a willingness to engage constructively. We also affirm that it is only through dialogue that both countries can realize their common goal of a European future and improve their citizens' lives. We are pleased that the Serbian Government has stated that it will honour the dialogue agreement on regional cooperation — a step that can only benefit both countries in the region as a whole.

We extend our congratulations as well to Kosovo on its most recent recognitions from Fiji, Timor-Leste,

Burundi and Papua New Guinea and for deepening its regional economic integration through its impending membership in the European Bank for Reconstruction and Development (EBRD). EBRD membership will support economic development and cooperation, growth and social stability, to the benefit of the people of Kosovo and throughout the Balkan region. We hope that these developments will continue as we approach the new year, and call for increased cooperation to address the many issues that remain. We also welcome steps being taken by both sides towards implementing the agreement on integrated border management and we look forward to the establishment of the first four interim facilities by the end of this year.

Secondly, the United States remains concerned about attacks on international personnel, restrictions on freedom of movement, particularly that of EULEX and the high level of tensions between ethnic communities. Just last week, tensions rose in northern Kosovo when Serb parallel officials, supported by Belgrade, sought to halt the reconstruction of homes for displaced ethnic Albanians and to protest implementation of the integrated border management agreement. With regard to the former, I note that employees of the UNMIK office in North Mitrovica reportedly also tried to impede construction efforts. We call on all officials of Kosovo and Serbia, as well as UNMIK, to work to calm tensions and avoid inflammatory language and actions.

We encourage close coordination between EULEX and KFOR to deter and respond to such actions aimed at undermining the rule of law and preventing legal construction and returns to the north. We are deeply troubled by the 7 September attack on a EULEX armoured vehicle and the reports of attacks on staff of the newly-established Mitrovica North administrative office, including the attempted firebombing of the house of its deputy director on 19 November. Those efforts aim to intimidate the staff, many of whom are ethnic Serbs working to better their communities.

We commend the Kosovo police force's increased efforts to protect cultural and religious heritage, as well as its action against organized crime and trafficking rings. We also encourage Kosovo and Serbia to redouble their efforts to cooperate with the International Committee of the Red Cross and local organizations to locate the remains of over 1,700 persons who are still missing. Further, we continue to support the Special Investigative Task Force in its work to investigate and, if necessary, prosecute allegations of organ trafficking

and other wrongdoing. We note the judgement of the Appeals Chamber of the International Tribunal for the Former Yugoslavia (ICTY) in the case of two Croatian generals. We fully support the ICTY and accept its rulings.

Finally, the United States congratulates Kosovo on reaching the end of supervised independence on 10 September, pursuant to a decision of the International Steering Group that the Government of Kosovo had substantially met all of its obligations under the comprehensive settlement plan. We thank the International Civilian Representative and his Office for working diligently with the Kosovo Government to reach this milestone. To achieve full EU integration, Kosovo must continue its efforts, with the support of the international community, to strengthen its multi-ethnic democracy and the rule of law.

The United States continues to support both Serbia and Kosovo in their pursuit of integration into European institutions. To that end, we reiterate our call for further constructive dialogue between Belgrade and Pristina, under EU facilitation. As Secretary Clinton said during her October visit to Pristina with EU High Representative Ashton,

“We will stand with you as you make key reforms to improve governance that brings you closer to full Euro-Atlantic integration. We will stand with you as you work with Serbia to resolve practical problems and overcome obstacles, and we will be there for you as you take the necessary steps towards the future you so richly deserve.”

**The President:** I will now make a statement in my national capacity.

Let me at the outset thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing on the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to thank Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, and Mr. Enver Hoxhaj for their statements.

There were several positive developments during the reporting period. Technical discussions on the implementation of agreements reached so far in the dialogue facilitated by the European Union (EU) resulted in Serbia's endorsement of the technical protocol on the implementation of the agreement on the joint management of crossings. Serbia also engaged with the EU to help clarify the ambiguity concerning

Kosovo's participation in regional forums. We welcome these developments and hope that the sides will soon resume substantive engagement within the framework of the EU-facilitated dialogue to resolve the contentious issues.

Despite the relative calm that prevailed during the reporting period, there has not been substantial change in the situation with regard to minority communities. Recurring security incidents affecting them need to be urgently addressed in order to promote intercommunity harmony and facilitate their return. UNMIK, together with the other international presences, should continue to encourage the Kosovo authorities to address the problems adversely affecting the minority communities and their cultural and religious sites. In that connection, UNMIK's continued support of UNESCO remains critical.

The issue of missing persons is an important humanitarian issue. We hope that with UNMIK's direct support and encouragement to the International Committee of the Red Cross, it will be possible to make further progress on that issue.

We note UNMIK's continued monitoring of the ongoing Medicus human organ trafficking trial before the District Court of Pristina. The trial should take place in a free, fair and transparent manner. The international presences in Kosovo led by UNMIK should render full assistance to the process.

In conclusion, I would like to express our appreciation for the fact that UNMIK has continued to implement its mandate in an impartial and status-neutral manner and has facilitated cooperation between Pristina and Belgrade, the communities in Kosovo, the Kosovo Force (KFOR), the European Union Rule of Law Mission in Kosovo (EULEX) and the Organization for Security and Cooperation in Europe (OSCE). We commend and support Special Representative Zarif and UNMIK for their contribution towards improving the situation in northern Kosovo, and for the services that the Mission is rendering in areas that better the daily lives of all Kosovars. The Mission should continue to implement its mandate in accordance with resolution 1244 (1999) and other relevant decisions. Other agencies in Kosovo — the OSCE, KFOR, EULEX and so on — should continue to cooperate and coordinate with UNMIK in accordance with their respective mandates.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 5.10 p.m.*